



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/058,276

01/30/2002

Kiyoshi Sakai

116692001100

2638

25227

7590

05/16/2005

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

EXAMINER

HARRIS, CHANDA L

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,276

Applicant(s)

SAKAI ET AL.

Examiner

Chanda L. Harris

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18,20 and 22-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18,20 and 22-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/1/05 has been entered.

Status of Claims

In response to the Amendment filed 1/26/05, Claims 18, 20, and 22-30 are pending. Claims 1-17, 19, and 21 are cancelled.

Claim Objections

Claim 1 is objected to because of the following informalities:

- Line 21: "that" should be -- which --.
- Line 21: "and" should be -- wherein --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton (US 5,176,520) in view of Mortimer et al. (US 6,091,930) and Fernandez (US 4,855,725) and Sallette (US 6,155,840).

1. [Claim 18]: Regarding Claim 18, Hamilton discloses a lecture terminal (i.e., teacher station) and a plurality of listener terminals (i.e., student computers). See Col.2: 40-43. Hamilton discloses the lecture terminal comprising: a first input unit, the first input unit comprising a touch panel by detecting positions at which the lecturer touches the touch panel, obtaining coordinates of the detected positions and outputting coordinate information corresponding to the detected positions (Col.6: 64-Col.7: 3); a written-information sender configured to identify the lecture-written information and send the identified lecture-written information to the listener terminals (Col.2: 55-57).

Hamilton does not disclose expressly a first reader configured to read from a listener recording medium book information representing information from a book, a first display configured to display, on a listener page, the book information and the lecture-written information from the written-information sender, and a first writer configured to record, on the listener recording medium, the lecture-written information displayed by the first display. However, Mortimer teaches a first reader (i.e., student CITbook)

Art Unit: 3714

configured to read from a listener recording medium (i.e., student CIT book) book information representing information (e.g., figures, text) from a book (e.g., professor CITbook). See Col.6: 7-15, 37-42. Mortimer teaches a first display configured to display, on a listener page (i.e., student CITbook), the book information and the lecture-written information from the written information sender. See Col.6: 7-12. Mortimer teaches a first writer (i.e., data entry module) configured to record, on the listener recording medium, the lecture-written information displayed by the first display. See Col.7: 39-44. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton, in light of the teaching of Mortimer, in order to enable inputting, formatting, and displaying educational material in a manner deemed most appropriate.

Hamilton/Mortimer disclose a second reader configured to read (i.e., professor CITbook), from a lecture recording medium, the book information and a second display configured to display, on a lecture page, the book information. See Col.6: 47-50.

Mortimer does not disclose expressly an index sender (i.e., selection of a page number) configured to send to the listener terminals index information for specifying a range in which the book information is to be displayed (e.g., the preceding five pages and the succeeding fifteen pages), wherein the first reader reads, from the listener recording medium, the book information in the range specified in the index information. However, Fernandez teaches such in Col.7: 15-32. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitation into the method and system of Hamilton, in

light of the teaching of Fernandez, in order to enable a user to page backward and forward a limited number of pages.

2. [Claim 20]: Regarding Claim 20, Hamilton discloses the touch panel is arranged on the lecture page (i.e., teacher's display). See Col.2: 48-51. Hamilton discloses the second display displays the lecture-written information in a position where the lecturer (i.e., teacher) has written the lecture-written information. See Col.2: 47-51 and Col.3: 48-55. Hamilton discloses the lecture-written information sender sends to the listener terminals, position information (i.e., coordinate positions) that represent a display position of the lecture-written information, together with the lecture-written information and the first display (i.e., student display) displays the lecture-written information in the position specified in the position information. See Col.2: 47-51 and Col.6: 64-Col.7: 3.

Mortimer discloses each of the lecture recording medium (i.e., professor CIT book) and the listener recording medium (i.e., student CIT book)) records lecture information representing lecture contents of the book. See Col.6: 7-10. Mortimer discloses the second reader reads the lecture information together with the book information and the first reader reads the lecture information together with the book information. See Col.7: 39-50.

Hamilton/Mortimer/Fernandez does not disclose expressly the second display divides the lecture page into a plurality of areas and displays the book information and lecture information respectively the plurality of areas and the first display divides the listener page into a plurality of areas and displays the book information and the lecture information respectively in the plurality of areas. However,

Sallette teaches the concept of displaying various types of information in a plurality of areas on a page. See FIG.7 and Col.7: 46-49. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Mortimer/Fernandez, in light of the teaching of Sallette, in order to provide an interface that allows the user to accomplish multiple tasks (e.g., viewing, providing feedback).

3. [Claim 22]: Regarding Claim 22, Mortimer teaches the lecture terminal further includes a second writer (i.e., data entry module) that records the lecture-written information displayed by the second display on the lecture recording medium. See Col.7: 39-44.

4. [Claim 23]: Regarding Claim 23, Hamilton discloses at least one of the listener terminals comprising: a second input unit comprising a touch panel placed on the listener page and inputs listener-written information written by the listener on the listener page, by detecting a position touched on the touch panel by a listener and by outputting position information representing the detected position, and an information processing unit that obtains coordinates of the position touched on the touch panel by using the position information provided by the second input unit and generates display data for displaying the listener-written information by using the obtained coordinates. See Col.6: 64-Col.7: 3.

5. [Claim 24]: Regarding Claim 24, Mortimer teaches wherein the first writer

Art Unit: 3714

records, as a single file (e.g., presentation module), a plurality of information pieces (e.g., text, video, audio, etc.) displayed by the first display on the listener recording medium. See Col.6: 37-42.

Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer, as applied to Claim 18 above, and further in view of Sanford (US 6,688,891) and Lee et al. (US 6,064,856).

[Claims 25-26]: Regarding Claims 25 and 26, Hamilton/Mortimer does not disclose expressly an attendance-management terminal configured to manage listener attendance, at least one of the listener terminals comprising: an attendance-information sender (i.e., biometric "on-button) configured to send attendance information representing listener attendance at a lecture (i.e., class) to the attendance-management terminal. However, Sanford teaches such in Col.26: 29-67. Using the attendance management terminal to obtain a percentage of lectures attended by the user would have been an obvious feature of Sanford's invention that would be afforded by the classroom attendance record written by the attendance management terminal. See Col.26: 57-67. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate an attendance-management terminal into the method and system of Hamilton/Mortimer, in light of the teaching of Sanford, in order to keep a record of attendance.

Hamilton/Mortimer does not disclose expressly sending attendance information in response to a listener touching a touch panel located on the listener page; the listener

terminal comprises a detector configured to detect that a listener has touched a position on the touch panel corresponding to the position of the displayed symbol and, upon detection that the listener has touched the listener page, the attendance information sender sends the attendance information to the attendance-management terminal.

However, Lee teaches the concept of a user touching a touch panel (i.e., touch sensitive screen) corresponding to the position of a displayed symbol (i.e., color-coded figure), and a detector (inherent). See Col.5: 53-60. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Mortimer, in light of the teaching of Lee, in order to facilitate younger students in making selections.

Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Sanford/Lee as applied to Claims 25 and 26 above, and further in view of Richter et al. (US 6,615,020).

1. [Claim 27]: Regarding Claim 27, Sanford discloses an acquirer (i.e., e-Slate). See Col.26: 36-67.

Hamilton/Mortimer/Sanford/Lee does not disclose expressly a credit-management terminal (i.e., audit trail system) configured to determine whether a listener has passed a course, the credit-management terminal (i.e., audit trail system) comprising: a database configured to store a listener's exam result, an acquirer (i.e., audit trail system) configured to acquire from the attendance-management terminal the percentage of the listeners' attendance. However, Richter teaches such in Col.4: 26-37.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Mortimer/Sanford/Lee, in light of the teaching of Richter, in order to monitor a student's participation in a course.

2. [Claims 28-29]: Regarding Claims 28 and 29, Mortimer teaches a marking terminal (i.e., gamer) configured to mark a listener's answer to a multiple-choice exam question. See Col.25: 24-25. The questions in Mortimer are capable of being multiple-choice questions. Mortimer teaches at least one of the listener's terminals comprising: an answer acquirer (i.e., gamer) configured to acquirer an answer written by a listener on a listener page, and an answer sender (i.e., gamer) configured to send the acquired answer to the marking terminal (Col.25: 21-24), the marking terminal comprising: a memory configured to store correct answers and a marker configured to mark the acquired answer using the correct answers stored in the memory(Col.25: 22-25). Mortimer teaches wherein the marking terminal (i.e., gamer) comprises a result sender configured to send a marked result of the marker to the credit-management terminal as the exam result of each listener. See Col.25: 24-25. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Sanford/Lee/Richter, in light of the teaching of Mortimer, in order to test a student's comprehension of a subject matter.

Art Unit: 3714

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Sanford/Lee/Richter as applied to Claim 27 above, and further in view of Lemelson et al. (US 5,823,788).

[Claim 30]: Regarding Claim 30, Mortimer teaches a marking terminal (i.e., gamer) configured to mark a listener's answer to an essay exam question. See Col.25: 24-25. The questions in Mortimer are capable of being essay exam questions. Mortimer discloses an answer sender (i.e., gamer) configured to send the acquired answer to the marking terminal. See Col.25: 21-24. Mortimer discloses a memory (i.e., gamer) configured to store an answer provided by the answer sender, the memory stores marking results carried out by the lecture. See Col.25: 26-42.

Hamilton discloses an answer acquirer (i.e., teacher's station) configured for acquiring an answer written by a listener on a touch panel on a listener page. See Col.2: 44-47, Col.2: 65-Col.3: 3.

Hamilton/Mortimer/Sanford/Lee/Richter does not disclose expressly a display (i.e., instructor display) configured to present the answers of the plurality of listeners to the lecture by displaying the answers of the plurality of listeners stored in memory (i.e., one or more student's answers to each question or selected questions). However, Lemelson teaches such in Col.1: 62-Col.2: 8. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate a display that displays answers for a plurality of listeners into the method and system of Hamilton/Mortimer/Sanford/Lee/Richter, in light of the teaching of Lemelson, in order to

Art Unit: 3714

enable an instructor to see how well students are learning the subject matter and adjust instructional techniques based on the feedback.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Stern (US 5,742,815)

-select the page number of a given chapter on the image of the table of contents (which is a graphic element on the screen) and the system will immediately bring you to the appropriate page in the electronic book

- Boulton (US 4,937,821)

-when a graph has been read in, and a page is requested which falls within the range of pages which are specified for display of the graph, the graph image is copied from the graph buffer to the display, and the text for the page is placed in the remaining space on the display


Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. See rejection above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 571-272-4448. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Chanda L. Harris
Primary Examiner
Art Unit 3714